

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD L. ABERCROMBIE,

Defendant.

NO. CR21-117-RSM

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture for the following property:

1. One Springfield Armory Model XDS .45 ACP caliber pistol bearing serial number HG128321;
2. One Ruger Model Mark IV 22/45 Lite .22 LR caliber pistol bearing serial number 390-69434; and
3. Any associated ammunition.

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1 The Court, having reviewed the United States' motion, as well as the other pleadings
 2 and papers filed in this matter, HEREBY FINDS that entry of a Final Order of Forfeiture
 3 is appropriate for the following reasons:

- 4 1. In the Plea Agreement that Defendant Abercrombie entered on May 12, 2022,
 5 he agreed to forfeit his interest in the above-identified property as property that
 6 was involved in his commission of Felon in Possession of a Firearm, in
 7 violation of 18 U.S.C. § 922(g)(1), to which he entered a plea of guilty
 8 (Dkt. No. 72);
- 9 2. On July 8, 2022, the Court entered a Preliminary Order of Forfeiture, finding
 10 the above-identified property forfeitable pursuant to 18 U.S.C. § 924(d)(1), by
 11 way of 28 U.S.C. § 2461(c), and forfeiting to the United States Defendant
 12 Abercrombie's interest in it (Dkt. No. 79);
- 13 3. Thereafter, the United States published notice of the pending forfeiture as
 14 required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure
 15 ("Fed. R. Crim. P.") 32.2(b)(6)(C) (Dkt. No. 81), and sent direct notice to four
 16 identified potential claimants (Declaration of Assistant U.S. Attorney Krista K.
 17 Bush in Support of Motion for a Final Order of Forfeiture, ¶ 2, Exhibits A, B,
 18 C, & D);
- 19 4. The United States has used all available efforts to provide notice to identified
 20 potential claimants, by means reasonably calculated to reach them. Notices
 21 sent to three of the identified potential claimants were successfully delivered.
 22 *Id.*, ¶ 2(a)-(c). The United States sent two notice letters to a fourth identified
 23 potential claimant, both of which were returned, and has no other contact
 24 information for this potential claimant. *Id.*, ¶ 2(d); and
- 25 5. The time for filing third-party petitions has expired and none were filed.

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1 NOW, THEREFORE, THE COURT ORDERS:

2 1. No right, title, or interest in the above-listed property exists in any party other than
3 the United States;

4 2. The property is fully and finally condemned and forfeited, in its entirety, to the
5 United States; and

6 3. The United States Department of Justice, the Federal Bureau of Investigation,
7 and/or their representatives, are authorized to dispose of the property in accordance with
8 the law.

9 IT IS SO ORDERED.

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11 DATED this 14th day of November, 2022.

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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
16

17 Presented by:

18
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